

### **REMARKS/ARGUMENTS**

The rejection of claims 1, 4, 6 and 9 as anticipated by Early U.S. Patent No. 5,463,873 is respectfully traversed. With respect, Applicants believe that the Examiner has misinterpreted the claimed subject matter or the application of the claimed subject matter to the disclosure of the Early reference. For example, originally presented claim 1 required a plurality of manifolds in spaced arrays thereof in the direction of air flow through the duct to the compressor in combination with manifolds of each array lying in substantial alignment with manifolds of the other arrays in the direction of air flow through the duct to the compressor. More particularly and with reference to the drawing Figure 3 of the present application, the direction of air flow is indicated by the numeral 41. The manifolds 36, 38 and 40 extend in a direction normal or perpendicular to the direction of the air flow 41 through the mister apparatus. Manifolds 36, 38 and 40 thus constitute downstream, intermediate and upstream arrays of manifolds. The downstream manifolds 36 includes nozzles 42. The intermediate manifolds 38 have nozzles 44. The upstream manifolds 40 have nozzles 46. The nozzles as indicated terminate substantially in a common plane 48.

In Early, and notwithstanding the Examiner's use of the Early drawing figures and detailed explanation, the manifolds identified by the Examiner at DM, IM and UM do not constitute downstream, intermediate and upstream manifolds. The manifolds 22 or 20 which feed the air and water to the nozzles above the so-called DM, IM and UM arrays lie in a plane perpendicular to the direction of air flow and are therefore not as claimed in spaced arrays thereof in the direction of airflow. Moreover, the manifolds of each array, e.g. DM do not lie in substantial alignment with manifolds of other arrays in the direction of air flow since the direction of air flow through the grid of Figure 2 of Early is perpendicular to each of manifolds

20, 22. In order to clarify the claim distinction with respect to the Early disclosure, applicants have amended claims 1 and 6 to require the manifolds to extend in a direction generally normal to the direction of air flow in combination with manifolds which are in spaced arrays in the direction of airflow. There is no manifold in Early which extends normal to the air flow and which is spaced downstream or upstream of any other manifold. The manifolds 20, 22 of Early all lie in a common plane.

At the bottom of the first full paragraph on page 4 of the Action the Examiner references Figures 1 and 2 and column 1, lines 35-39 of Early. Column 1, lines 35-39 do not support the comments in that paragraph preceding that reference. If the Examiner meant column 3, lines 35-39, it is true that the Early arrays of foggers may be mounted either horizontally or vertically. In either case, however, the air flow is always perpendicular to the manifolds which feed the water/air to the foggers. In either configuration there are no manifolds in Early which are upstream or downstream of one another in the direction of air flow.

As to claim 4, the three nozzles of each group of nozzles are carried by aligned manifolds of the respective arrays. For example, the three nozzles 42, 44 and 46 are carried by aligned manifolds 36, 38 and 40 respectively. In claim 1, those manifolds are aligned with one another in the direction of air flow, i.e. upstream or downstream of one another. The manifolds of Early are neither downstream or upstream of each other in the direction of air flow. In fact all of the manifolds are located at the same position or location in the direction of the air flow.

Claims 6 and 9 require the manifolds which extend normal to the direction of air flow through the duct to lie in downstream, intermediate and upstream arrays thereof spaced from one another in the direction of air flow. Early simply does not disclose that arrangement vis á vis manifolds spaced from one another in the direction of air flow.

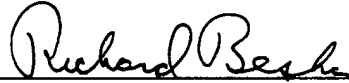
CARBERG ET AL.  
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Should the rejection based on Early continue, applicants respectfully request the Examiner to more particularly point out how the manifolds of Early are spaced from one another in upstream or downstream directions. From the lower drawing figure on page 3 of the Office Action it is clear that the Examiner understands the airflow through the Early grid of foggers to be normal to the grid. Thus there are no manifolds which are upstream or downstream relative to one another in Early as set forth in these claims.

Accordingly, applicants believe the application is now in condition for allowance and early notification of the allowance thereof is respectfully requested.

Respectfully submitted,

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